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EXAMINER	
NGUYEN, KHAI MINH	

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/002,919	HYON, SEUNG-TAEK	
	Examiner	Art Unit	
	KHAI M. NGUYEN	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 August 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,5,7-17 and 19-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2, 4-5, 7-17, and 19-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-2, 4-5, 7-17, and 19-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-2, 4-5, 9-12, 15-17, 21-25, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skelly (U.S.Pat-6064383), in view of Kraft, Christian (WO 00/57617), in view of Umeda (JP-10-198615), and further in view of Watanabe (U.S.Pat-6539240).

Regarding claim 1, Skelly teaches an emoticon input method in a mobile terminal (fig.2, col.2, lines 35-45), comprising the steps of:

displaying the stored emoticons in an emoticon input mode (fig.2, and 3a, storage 22, video display 32, abstract, col.4, lines 27-48); and

storing the at least one formed emoticon in the mobile terminal (fig.2, and 3a-3b, storage 22, col.4, line 27 to col.5, line 11), selecting (col.4, lines 49-64) a created and stored emoticon (fig.2, and 10, head mapping table 96, and body mapping table 98, storage 22, col.4, lines 7-26).

Skelly fails to specifically disclose entering an emoticon input mode while an SMS message is written; creating by the user, at least one emoticon within a range of a transmittable SMS (Short Message Service) message, which is formed by utilizing a plurality of typical characters and special characters in combination, and represents a hieroglyphic character.

However, Kraft teaches entering an emoticon input mode while an SMS message is written (fig.5, item 52, abstract); creating by the user (pg.3, lines 24-27), at least one emoticon (graphical) within a range of a transmittable SMS (Short Message Service) message (abstract), which is formed by utilizing a plurality of typical characters and special characters in combination, and represents a hieroglyphic character (not specifically disclose).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Kraft to Skelly to generate tags or symbos identifying them when sending messages.

Skelly and Kraft fail to specifically disclose which is formed by utilizing a plurality of typical characters and special characters in combination, and represents a hieroglyphic character.

However, Umeda teaches which is formed by utilizing a plurality of typical characters and special characters in combination (fig.3, abstract, [0029]), and represents a hieroglyphic character (fig.3, abstract, [0029]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Umeda to Skelly and Kraft to provide a method for editing the characters information (emoticon, icon).

Skelly, Kraft, and Umeda fail to specifically disclose storing within the SMS message the emoticon selected by a user.

However, Watanabe teaches storing (col.5, lines 35-41) within the SMS message the emoticon selected by a user (fig.3, col.1, lines 32-49, col.2, lines 18-32, an electronic mail service in which an electronic pet is added to an electronic mail and sent with the electronic mail. At the receiver, the pet carrying the mail is displayed on the terminal).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Watanabe to Skelly, Kraft, and Umeda to allow users to create sophisticated documents for transmission via electronic mail.

Regarding claim 2, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 1, wherein the emoticons are stored in the form of a bit map (see Skelly, col.1, lines 43-58).

Regarding claim 4, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 1, further comprising the step of transmitting the SMS

message including the stored emoticon (see Watanabe, fig.2-6, col.6, lines 11-61, and col.7, line 55 to col.8, line 61).

Regarding claim 5, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 1, wherein the emoticons are stored by a manufacturer in the process of manufacturing (see Skelly, fig.2, storage 22, col.4, lines 7-26).

Regarding claim 9, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 1, further comprising the step of changing and editing the emoticons by the user (see Skelly, fig.2, and 10, head mapping table 96, and body mapping table 98, storage 22, col.4, lines 7-26).

Regarding claim 10, Skelly teaches an emoticon input method in a mobile terminal (fig.2, col.2, lines 35-45), comprising the steps of:

grouping said plurality of emoticons (col.1, lines 43-58) and storing the emoticons by groups in the mobile terminal (not specifically disclose);

entering an emoticon input mode (col.1, lines 43-65);

displaying a list of the stored emoticon groups (fig.2, and 3a, abstract, col.4, lines 27-48);

selecting an emoticon group (col.1, and lines 43-58, col.2, lines 35-45);

displaying the emoticons of the emoticon group selected by a user (fig.2, and 3a, abstract, col.4, lines 27-48) ; and

storing the emoticons by groups in the mobile terminal (fig.2, and 3a-3b, storage 22, col.4, line 27 to col.5, line 11);

Skelly fails to specifically disclose creating by the user, a plurality of emoticons within a range of a transmittable SMS (Short Message Service) message formed by utilizing a plurality of typical characters and special characters in combination.

However, Kraft teaches creating by the user (pg.3, lines 24-27), a plurality of emoticons (graphical) within a range of a transmittable SMS (Short Message Service) message (abstract) formed by utilizing a plurality of typical characters and special characters in combination (not specifically disclose).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Kraft to Skelly to generate tags or symbos identifying them when sending messages.

Skelly and Kraft fail to specifically disclose formed by utilizing a plurality of typical characters and special characters in combination.

However, Umeda teaches formed by utilizing a plurality of typical characters and special characters in combination (fig.3, abstract, [0029]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Umeda to Skelly and Kraft to provide a method for editing the characters information (emoticon, icon).

Skelly, Kraft, and Umeda fail to specifically disclose storing an emoticon selected by the user with an SMS message.

However, Watanabe teaches storing (col.5, lines 35-41) an emoticon selected by the user with an SMS message (fig.3, col.1, lines 32-49, col.2, lines 18-32, an electronic mail service in which an electronic pet is added to an electronic mail and sent with the electronic mail. At the receiver, the pet carrying the mail is displayed on the terminal).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Watanabe to Skelly, Kraft, and Umeda to allow users to create sophisticated documents for transmission via electronic mail.

Regarding claim 11, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 10, wherein the emoticons are stored by a manufacturer in the process of manufacturing (see Skelly, fig.2, and 3a-3b, storage 22, col.4, line 27 to col.5, line 11).

Regarding claim 12, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 10, wherein the emoticons are created and stored directly by the user (see Skelly, fig.2, and 10, head mapping table 96, and body mapping table 98, storage 22, col.4, lines 7-26).

Regarding claim 15, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 10, further comprising the step of changing and editing

the emoticons by the user (see Skelly, fig.2, and 10, head mapping table 96, and body mapping table 98, storage 22, col.4, lines 7-26).

Regarding claim 16, Skelly teaches an emoticon input method in a mobile terminal (fig.2, col.2, lines 35-45), comprising the steps of:

displaying the a list of the plurality of emoticon groups in an emoticon input mode (fig.2, and 3a, abstract, col.4, lines 27-48);

displaying emoticons included in an emoticon group selected by a user among the plurality of emoticon groups (fig.2, and 3a, abstract, col.4, lines 27-48);

selecting by a user (col.1, and lines 43-58, col.2, lines 35-45), at least one emoticon from the displayed emoticons;

Skelly fails to specifically disclose creating, by a user, at least one emoticon within a range of a transmittable SMS (Short Message Service) message, which is formed by utilizing a plurality of typical characters and special characters in combination; transmitting an SMS message including the at least one emoticon selected by a user.

However, Kraft teaches creating, by the user (pg.3, lines 24-27), at least one emoticon within a range of a transmittable SMS (Short Message Service) message (abstract), which is formed by utilizing a plurality of typical characters and special characters in combination (not specifically disclose); transmitting an SMS message

(fig.5) including the at least one emoticon selected by a user (abstract, pg.3, lines 24-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Kraft to Skelly to generate tags or symbos identifying them when sending messages.

Skelly and Kraft fail to specifically disclose which is formed by utilizing a plurality of typical characters and special characters in combination.

However, Umeda teaches which is formed by utilizing a plurality of typical characters and special characters in combination (fig.3, abstract, [0029]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Umeda to Skelly and Kraft to provide a method for editing the characters information (emoticon, icon).

Skelly, Kraft, and Umeda fail to specifically disclose storing the at least one emoticon in an emoticon group selected by a user among a plurality of emoticon groups comprised of previously grouped emoticons according to a specific reference

However, Watanabe teaches storing (col.5, lines 35-41) the at least one emoticon (image) in an emoticon group selected by a user among a plurality of emoticon groups (col.9, lines 1-4) comprised of previously grouped emoticons (images) according to a specific reference (col.9, lines 1-6)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Watanabe to Skelly, Kraft, and Umeda to allow users to create sophisticated documents for transmission via electronic mail.

Regarding claim 17, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 16, wherein the emoticons are formed and stored by a manufacturer in the process of manufacturing (see Skelly, fig.2, storage 22, col.4, lines 7-26).

Regarding claim 21, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 16, further comprising the step of changing and editing the emoticons by the user (see Skelly, fig.2, and 10, head mapping table 96, and body mapping table 98, storage 22, col.4, lines 7-26).

Regarding claim 22, Skelly teaches an emoticon input method in a mobile terminal (fig.2, col.2, lines 35-45), comprising the steps of:

entering an emoticon input mode (col.1, lines 43-65);

displaying emoticons included in an emoticon group selected by a user among the plurality of emoticon groups (fig.2, and 4, abstract, col.4, lines 27-48);

selecting by a user an emoticon from the display emoticons (col.1, and lines 43-58, col.2, lines 35-45); and

Skelly fails to specifically disclose displaying a list of a plurality of emoticons groups comprised of previously grouped emoticons within a range of a transmittable SMS (Short Message Service) message according to a specific reference in emoticon input mode, wherein the emoticons are created by utilizing a plurality of typical characters and special characters in combination, and stored in the mobile terminal

However, Kraft teaches displaying a list of a plurality of emoticons groups (fig.8, item 33) comprised of previously grouped emoticons within a range of a transmittable SMS (Short Message Service) message according to a specific reference in emoticon input mode (abstract, pg.3, lines 24-27), wherein the emoticons are created by utilizing a plurality of typical characters and special characters in combination (not specifically disclose), and stored in the mobile terminal (fig.8, item 34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Kraft to Skelly to generate tags or symbos identifying them when sending messages.

Skelly and Kraft fail to specifically disclose wherein the emoticons are created by utilizing a plurality of typical characters and special characters in combination.

However, Umeda teaches wherein the emoticons are created by utilizing a plurality of typical characters and special characters in combination (fig.3, abstract, [0029]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Umeda to Skelly and Kraft to provide a method for editing the characters information (emoticon, icon).

Skelly, Kraft, and Umeda fail to specifically disclose within an SMS message the emoticon which is selected by the user.

However, Watanabe teaches storing (col.5, lines 35-41) within an SMS message the emoticon which is selected by the user (col.9, lines 1-4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Watanabe to Skelly, Kraft, and Umeda to allow users to create sophisticated documents for transmission via electronic mail.

Regarding claim 23, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 22, wherein the list of emoticons and the emoticons are stored in the form of a bit map (see Skelly, fig.2, and 3a-3b, storage 22, col.4, line 27 to col.5, line 11).

Regarding claim 24, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 22, further comprising the step of transmitting the SMS message including the stored emoticon (see Watanabe, col.1, lines 26-35, col.3, lines 28-33).

Regarding claim 25, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 22, wherein the list of a plurality of emoticon groups and the emoticons are created and stored by the user (see Skelly, fig.2, and 3a-3b, storage 22, col.4, line 27 to col.5, line 11).

Regarding claim 28, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 22, further comprising the step of changing and editing the emoticons by the user (see Skelly, fig.2, and 10, head mapping table 96, and body mapping table 98, storage 22, col.4, lines 7-26).

Regarding claim 29, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 16, wherein the emoticon groups include upper groups (animals) and lower groups (cartoons) (see Kraft, fig.6).

4. Claims 7-8, 13-14, 19-20, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skelly (U.S.Pat-6064383), in view of Kraft, Christian (WO 00/57617), in view of Umeda (JP-10-198615), in view of Watanabe (U.S.Pat-6539240), and further in view of Evans et al. (U.S.Pub-20040002325).

Regarding claims 7-8, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 1,

Skelly, Kraft, Umeda, and Watanabe fail to specifically disclose the emoticons are received from a base station and stored in the mobile terminal, and the emoticons are downloaded into the mobile terminal from the Internet and stored in the mobile terminal.

However, Evans teaches the emoticons are received from a base station and stored in the mobile terminal (paragraph 0148-0150), and the emoticons are downloaded into the mobile terminal from the Internet and stored in the mobile terminal (paragraph 0148-0150).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Evans to Skelly, Kraft, Umeda, and Watanabe to provide a multimedia documents from multimedia severs to terminals.

Regarding claims 13-14, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 10,

Skelly, Kraft, Umeda, and Watanabe fail to specifically disclose the emoticons are received from a base station and stored in the mobile terminal, and the emoticons are downloaded into the mobile terminal from the Internet and stored in the mobile terminal.

However, Evans teaches the emoticons are received from a base station and stored in the mobile terminal ([0148]-[0150]), and the emoticons are downloaded into the mobile terminal from the Internet and stored in the mobile terminal ([0148]-[0150]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Evans to Skelly, Kraft, Umeda, and Watanabe to provide a multimedia documents from multimedia severs to terminals.

Regarding claims 19-20, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 16,

Skelly, Kraft, Umeda, and Watanabe fail to specifically disclose the emoticons are received from a base station and stored in the mobile terminal, and the emoticons are downloaded into the mobile terminal from the Internet and stored in the mobile terminal.

However, Evans teaches the emoticons are received from a base station and stored in the mobile terminal ([0148]-[0150]), and the emoticons are downloaded into the mobile terminal from the Internet and stored in the mobile terminal ([0148]-[0150]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Evans to Skelly, Kraft, Umeda, and Watanabe to provide a multimedia documents from multimedia severs to terminals.

Regarding claims 26-27, Skelly, Kraft, Umeda, and Watanabe further teach the emoticon input method of claim 22,

Skelly, Kraft, Umeda, and Watanabe fail to specifically disclose the list of a plurality of emoticon groups and the emoticons are received from a base station and stored in the mobile terminal, and the list of a plurality of emoticon groups and the emoticons are downloaded into the mobile terminal from the Internet and stored in the mobile terminal.

However, Evans teaches the list of a plurality of emoticon groups and the emoticons are received from a base station and stored in the mobile terminal ([0148]-[0150]), and the list of a plurality of emoticon groups and the emoticons are downloaded into the mobile terminal from the Internet and stored in the mobile terminal ([0148]-[0150]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Evans to Skelly, Kraft, Umeda, and Watanabe to provide a multimedia documents from multimedia severs to terminals.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/
Examiner, Art Unit 2617

11/24/2008